

Remarks

This is in response to the final Office Action mailed January 28, 2005. Post-final amendments have been presented above to claims 1, 11, 22 and 25, and claims 2, 5-7 have been cancelled without prejudice.

These amendments are believed to be proper, do not introduce new matter, and serve to place the application in proper condition for reconsideration and allowance.

Objections to Claims

The final Office Action objected to claims 22 and 25 (misnumbered as a second claim 24) on the basis that the phrase "said atmosphere" in each of these claims lacked antecedent basis. Also misnumbered claim 24 was a second occurrence of the claim number "24," and should have been numbered "25."

Amendments have been presented above to correct these errors. The Applicant's Attorney apologizes for the inconvenience caused to the Examiner as a result of these errors, and requests reconsideration and withdrawal of the objections in view of these amendments.

Rejection of Claims Under 35 U.S.C. §103(a)

Claims 1-4, 8-9, 10-16, 19-20, 23 and 26 were finally rejected under 35 U.S.C. §103(a) as being obvious over U.S. Patent No. 6,078,475 issued to Lawson ("Lawson '475") in view of U.S. Patent No. 5,097,164 issued to Nakasugi et al. ("Nakasugi '164"). These rejections are respectfully traversed.

For the record, the Applicant respectfully disagrees with at least certain aspects of the characterizations made by the Examiner of these references, including the characterization that Lawson '475 teaches a hermetically sealed device.

Moreover, the Applicant respectfully submits that the stated motivation to combine the respective references provided by the Examiner (Office Action, p. 5, lines 8-13) is without merit; using the fixed shaft from Nakasugi '164 in the system of Lawson '475 would cause, not prevent, seizure of the motor. This is because Lawson '475 directly fixes the shaft 21 to the rotatable member 16. Thus, rigidly affixing the non-rotatable shaft from Nakasugi '164 to the housing in Lawson '475, as suggested by the Examiner, would also rigidly affix the rotatable member 16 to the housing, rendering the rotatable member 16 "unrotatable."

The Applicant further respectfully finds the suggested combination deficient in that Lawson '475 expressly teaches away from such an arrangement, since substitution of a non-rotational shaft for the disclosed rotatable shaft 21 in Lawson '475 would necessarily require the re-introduction of a bearing arrangement, something that Lawson '475 specifically seeks to eliminate. See e.g., Lawson '475, col. 4, lines 35-45.

Nevertheless, the Applicant has obviated the above rejection through the amendments presented above, and accordingly request reconsideration and withdrawal of the rejection of the claims under 35 U.S.C. §103(a).

Indication of Allowable Subject Matter

The Applicant gratefully acknowledges the indication of allowability of the subject matter of claims 5, 7 and 18. This indication of allowability supports a finding of allowability of all of the claims as now pending in the application.

Conclusion

The Applicant respectfully requests reconsideration and allowance of all the pending claims in the application. This is intended to be a complete response to the final Office Action mailed January 28, 2005. Should any questions arise concerning this response, the Examiner is invited to contact the below signed attorney.

Respectfully submitted,

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